

Public Policy Committee
Montgomery County Commission on Aging

Notes of the meeting
November 10, 2011

Attendees: Bob Tiller (chairing), Jack Sprague, Rudy Oswald, Leslie Marks, Barbara Mulitz, Chuck Kauffman, John Honig, Paul DelPonte, Elaine Binder, Sarah Gotbaum, and Peggy Odick.

1. Financial exploitation of seniors

John summarized the interests and efforts of this committee on this issue over the last two years, and highlighted some of the challenges that the committee has faced in trying to get legislation passed. Among the key topics are: reporting, guardianship, penalties and recovery.

Our speaker was Peggy Odick of the county attorney's office. She said that the primary legal work of her office is civil actions, not criminal. She thinks that the Maryland guardianship statute (and the state rules of procedure) should be amended to make it easier to obtain guardianship in cases of suspected financial exploitation. However, she knows that such efforts will encounter resistance in the state legislature. She believes that a person can be basically competent in other areas of life but financially incompetent, but that situation is not recognized in current law. Members of the committee directed several questions to Peggy and discussed the issue. Peggy pledged to work with us on shaping legislation.

Barbara summarized the California statute requiring reporting of suspected financial exploitation (known as "must report") and said that it seems like a good model for the Maryland legislature to consider. This would follow a completely different track in the legislature from guardianship, involving amendment to the criminal code, not the civil code. The penalties on banks and others for not reporting would be quite modest, but the value of the law is in the fact that an institution can say that it has no choice in a given situation and must report the acts of apparent exploitation.

The committee discussed both tracks at length – the possibility of seeking legislation on guardianship and on must-report – and decided to pursue both.

2. Reports on recent events

(a) The Congressional "super committee" is still toiling away, trying to come up with a package of recommendations to trim from the projected federal deficit over ten years. The proposed letter from the commission to Rep. Chris Van Hollen, a member of the super committee, which we discussed in our previous committee meeting, was completed and sent.

(b) Elaine reported on her recent experience of testifying to the HHS committee of the County Council about the commission's priorities.

(c) Elaine reported on a meeting in September between some members of this committee and Rollin Stanley, head of planning for Montgomery County. Mr. Stanley is interested for the Commission on Aging to know and support his ideas and perspective about zoning changes.

(d) Jack reported on a meeting between some members of this committee and Rick Nelson, head of housing for Montgomery County. Mr. Rollin Stanley had urged us to have the meeting with Mr. Nelson; it is premature to ascertain the outcome of this discussion.

(e) Elaine and Bob explained the recent creation of the Housing Task Force of the commission, co-chaired by Grace Whipple and Jack Sprague. It is not a standing committee, but a task force appointed by the chair. The task force recently met with Jim Brown, head of Victory Housing, a nonprofit organization that builds low-income housing and assisted living for seniors.

3. Legislative breakfast

The Commission on Aging will hold its annual Legislative Breakfast on Wednesday, November 30, at the Holiday Park Senior Center. All of the delegates and senators from Montgomery County have been invited. All members of the commission are urged to attend and to speak with the legislators during the informal period. The committee reviewed details and plans for the breakfast, including: invitations, the RSVP list, food, nametags, packets, talking points and program flow.

The program will be structured like this:

8:00-8:30 informal period of eating, mixing and talking

8:30-9:00 Elaine and others will present the commission's legislative interests

9:00-10:00 legislators will tell us what their priorities are, with discussion

Bob has asked all committees of the commission to write up their legislative priorities in the form of talking points. Elaine will combine and edit them into a single document, which will be distributed to members of the commission in advance of the breakfast; that document is not to be distributed to legislators, but is to be used by commission members as talking points in their conversations.

The committee discussed the question of what issues we want to talk to the legislators about, i.e. what we want to urge them to pursue in 2012. Among those mentioned were: Senator Raskin's bill on a permanent absentee ballot list, Senator Raskin's bill on penalties for financial exploitation, other dimensions of financial exploitation (see item 1 above), funding for purpose-built senior housing, enabling legislation for AOT, possibly another health-related topic, and dealing with the impact of potential federal cuts to Medicaid. Elaine will select three or four issues to highlight at the breakfast. We also want to hear what the delegates and senators speak about their priorities.

4. Next meeting

The next meeting of this committee will be on Thursday, December 8, 2011, unless other commission meetings and events need to be scheduled on that date.

Bob Tiller